

## **AGENDA**

### **SPECIAL MEETING BOARD OF PUBLIC AND ALDERMEN (PUBLIC HEARING – CHARTER)**

**August 31, 2004**

**7:00 PM  
Aldermanic Chambers  
City Hall (3<sup>rd</sup> Floor)**

1. Mayor Baines calls the meeting to order.
2. The Clerk calls the roll.
3. Mayor Baines advises that the purpose of the public hearing is to hear those wishing to speak with regard to consideration of amendments to the Manchester City Charter; that anyone wishing to speak must first step to the nearest microphone when recognized, recite his/her name and address in a clear, loud voice for the record; that each person will be given only one opportunity to speak and any questions must be directed to the Chair.
4. Mayor Baines requests the Clerk present the first proposed Charter amendment question.
  - A. SHALL THE CITY OF MANCHESTER, NEW HAMPSHIRE APPROVE THE CHARTER AMENDMENT SUMMARIZED BELOW?

SUMMARY/EXPLANATION: The proposed amendment to the Manchester New Hampshire City Charter takes the responsibility and authority to audit the City's financial records from the City Finance Officer and places the responsibility and authority for audits in the Independent City Auditor created by this proposed charter amendment.

5. Mayor Baines calls for those wishing to speak.

6. Mayor Baines requests the Clerk present the second proposed Charter amendment question.

- A. SHALL THE CITY OF MANCHESTER, NEW HAMPSHIRE APPROVE THE CHARTER AMENDMENT SUMMARIZED BELOW?

SUMMARY/EXPLANATION: The proposed amendment amends the Charter of the City of Manchester, New Hampshire to provide that the school district shall be a department of the City and that the mayor shall have control over the form and procedures for preparation and adoption of the school department budget.

7. Mayor Baines calls for those wishing to speak.
8. Mayor Baines advises that all wishing to speak having been heard, the testimony presented will be taken under advisement and considered by the Board of Mayor and Aldermen, and that a motion to adjourn would be in order.

**LEGAL NOTICE  
CITY OF MANCHESTER, NH  
PUBLIC HEARING  
ON PROPOSED CHARTER AMENDMENTS**

A meeting of the Board of Mayor and Aldermen is to be held in the Aldermanic Chambers, City Hall, One City Hall Plaza, Manchester, NH on Tuesday, August 31, 2004 at 7:00 PM for the purpose of conducting a public hearing regarding two separate proposed changes to the Manchester City Charter as follows:

1. **SUMMARY/EXPLANATION:** The following proposed amendment to the Manchester New Hampshire City Charter takes the responsibility and authority to audit the City's financial records from the City Finance Officer and places the responsibility and authority for audits in the Independent City Auditor created by this proposed charter amendment

The proposed charter amendment is as follows:

Amending the Manchester City Charter by deleting Section 6.12 Independent Audit and replacing it with a new Section 6.12 Independent City Auditor as follows:

Section 6.12 Independent City Auditor

(a) There shall be an Independent City Auditor nominated and appointed by the Board of Aldermen based upon merit and after due consideration of qualifications for office.

(b) The Independent City Auditor shall report to the Board of Mayor and Aldermen or to such committee as the Board of Mayor and Aldermen may designate.

(c) It shall be the duty of the Independent City Auditor to assure that an independent audit shall be made of all books and accounts of the City at least once every year. The audit shall be performed in accordance with the auditing standards promulgated by the Comptroller General of the United States and by certified public accountants or a firm of such accountants experienced in municipal accounting who have no personal interest, direct or indirect, in the fiscal affairs of City government. The Independent City Auditor shall, through a competitive bid process, provide for the selection of the independent auditors in accordance with the City's procurement code. The results of such audit shall be made public and report to the Board of Mayor and Aldermen.

(d) It shall be the duty of the Independent City Auditor to:

- (i) Conduct post-audits of the accounts and records of any City department.
- (ii) Conduct such program result audits of a department as the Board of Mayor and Aldermen or any committee designated by the Board of Mayor and Aldermen may direct.

Amending the Manchester City Charter by deleting Section 10.12 Continuance of Chapter 551 and replacing it with the following:

Section 10.12 Continuance of Chapter 551.

Nothing in this charter shall be construed as repealing those provisions of Chapter 551 of the Laws of 1971 as are not inconsistent with the provisions of this charter.

2. SUMMARY/EXPLANATION: The following proposed amendment amends the Charter of the City of Manchester, New Hampshire to provide that the school district shall be a department of the City and that the mayor shall have control over the form and procedures for preparation and adoption of the school department budget.

The proposed charter amendment is as follows:

Article IV. School and School Committee, section 4.01 school district shall be amended to read as follows:

The City of Manchester, a municipal corporation, shall continue to constitute a single school district, administered by the board of school committee as a department of the City of Manchester. Wherever this charter refers to the school district, school district shall also mean school department. Except as otherwise provided in this charter the board of mayor and aldermen and the school committee shall continue to exercise such power in relation thereto as these respective bodies exercised at the time of the adoption of this charter.

Article VI. Budgets and Appropriations, section 6.03 (a) Budget Formulation, Submission and Message shall be amended to read as follows:

The mayor shall establish the form and organization of procedures for preparation and adoption of the annual budget, including the school department budget, the capital improvement budget, and other budget instruments and plans for future fiscal periods as the mayor deems appropriate and which shall conform to all city ordinances concerning budgets and fiscal matters. Such procedures shall require that all budgets include all proposed expenditures according to general objects of expenditure and the proposed use and all anticipated revenue.

Article VI. Budgets and Appropriations, section 6.06 School District Budget shall be amended to read as follows:

The school committee shall prepare and submit its budget proposal. The budget shall be subject to the approval of the board of mayor and aldermen. The budget shall be submitted in accordance with the budget form, organization of procedures and schedule established by the mayor under Section 6.03 (a). The board of mayor and aldermen shall accept such budget as submitted, or reject it and return it to the school committee along with the explanation for rejection and the maximum dollar amount which the board of mayor and aldermen will approve. The school committee shall then submit a revised budget which shall not exceed the maximum dollar amount established by the board of mayor and aldermen. The school committee shall administer, expend and account for the funds approved by the board of mayor and aldermen and shall have the exclusive authority to transfer funds among line items in the school budget.

Article VI. Budgets and Appropriations, Section 6.08 shall be amended to read as follows:

The board of mayor and aldermen may provide by ordinance any additional procedures for administering of the budget, including the budget of the school department.

Board of Mayor and Aldermen  
s/Leo R. Bernier  
City Clerk